

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS K. MILLS,

Plaintiff,

v.

J. RIVERA, et al.,

Defendants.

No. 1:21-cv-01324-NONE-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 4)

Plaintiff Thomas K. Mills is a state prisoner proceeding *pro se* in this civil rights action. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 3, 2021, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed as duplicative of *Thomas K. Mills v. I.Z. Jones, et al.*, No. 1:21-cv-01193-HBK, and that all pending motions be denied as moot. (Doc. No. 8.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days from the date of service. (*Id.* at 4-5.)

On September 17, 2021, plaintiff filed objections to the findings and recommendations. (Doc. No. 10.) On September 22, 2021, plaintiff filed a second set of objections to the findings and recommendations. (Doc. No. 11.) The objections appear to indicate that plaintiff did not

1 intend to open two separate cases.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
3 *de novo* review of this case. Having carefully reviewed the entire file, including plaintiff's
4 objections, the court finds the findings and recommendations to be supported by the record and
5 by proper analysis.

6 Accordingly,

- 7 1. The findings and recommendations entered on September 3, 2021 (Doc. No. 8),
8 are adopted in full;
- 9 2. This action is dismissed as duplicative of *Thomas K. Mills v. I.Z. Jones, et al.*, No.
10 1:21-cv-01193-HBK;
- 11 3. Plaintiff's motions to appoint counsel (Doc. Nos. 3, 12, 15), motions to stay (Doc.
12 Nos. 4, 14), and motion for preliminary injunction (Doc. No. 13) are denied as
13 moot; and
- 14 4. The Clerk of Court is directed to assign a district judge for the purpose of closing
15 this case and then to close the case.

16
17 IT IS SO ORDERED.

18 Dated: October 6, 2021


UNITED STATES DISTRICT JUDGE